

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,990

IN THE MATTER OF:

Served December 12, 2007

Application of ATNAFU BEKELE)
BEYENE, Trading as COSMOS EXECUTIVE)
SEDAN SERVICE, for Voluntary)
Termination of Certificate No. 1343)

Case No. AP-2007-184

ATNAFU BEKELE BEYENE, Trading as)
COSMOS EXECUTIVE SEDAN SERVICE,)
Suspension and Investigation of)
Revocation of Certificate No. 1343)

Case No. MP-2007-174

At 12:01 a.m. on September 6, 2007, Certificate No. 1343 was automatically suspended pursuant to Regulation No. 58-02 for the failure of Atnafu Bekele Beyene, trading as Cosmos Executive Sedan Service, to maintain on file with the Commission proof of \$1.5 million in combined-single-limit, motor vehicle liability insurance as required by Commission Regulation No. 58.

Order No. 10,743, served September 7, 2007, noted that Certificate No. 1343 would be subject to revocation if Beyene failed to file the necessary insurance endorsement(s) and pay the \$50 late fee due under Regulation No. 67-03(c) within thirty days. Beyene has yet to file the necessary insurance endorsement(s) and pay the late fee.

Instead, on September 25, 2007, Beyene filed an application requesting voluntary termination of Certificate No. 1343.

Although the Commission may terminate a certificate of authority under Title II of the Compact, Article XI, Section 10(b), upon application by the holder, voluntary termination is not available if the carrier is not in good standing with the Commission.¹ Here, Beyene was not in good standing as of 12:01 a.m. on September 6, when its primary WMATC Insurance Endorsement expired.

Because Beyene is not in good standing with the Commission, having failed to pay the \$50 late fee, we shall deny the application for voluntary termination.²

Because Beyene has failed to file the necessary insurance endorsement(s) and pay the \$50 late fee, Certificate No. 1343 shall be

¹ See, e.g., *In re Custom Tours of Washington, Inc.*, No. AP-07-089, Order No. 10,539 (June 7, 2007).

² See *id.* (denying voluntary termination because late fee not paid).

revoked pursuant to Article XI, Section 10(c), of the Compact for Beyene's willful failure to comply with Regulation No. 58, Regulation No. 67-03(c), and Order No. 10,743. The unpaid \$50 late fee shall remain due.

THEREFORE, IT IS ORDERED:

1. That the application of Atnafu Bekele Beyene, trading as Cosmos Executive Sedan Service, for voluntary termination of Certificate No. 1343 is hereby denied.

2. That Certificate of Authority No. 1343 is hereby revoked.

3. That within 30 days from the date of this order Atnafu Bekele Beyene, trading as Cosmos Executive Sedan Service, shall:

- a. remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and
- c. surrender Certificate No. 1343 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director